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Iran: Prospects for the Hostages Under Khomeini's Law

An Intelligence Memorandum

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Summary

It now seems almost certain that some, if not all, of the hostages will be put on trial. The conduct of the trials and the sentences of those found guilty will be determined largely by Khomeini's political and psychological needs, both of which will continue to shape his interpretation of Islamic law.

At present, it is unlikely that the death sentence will be imposed. While "exile" after public humiliation is a possibility, this would deprive Khomeini of the ability to sustain the confrontation with the United States. It is also possible that at least some of the hostages will be sentenced to indeterminate prison terms, pending return of the Shah. Should the confrontation escalate sharply, the possibility of physical mutilation or execution of one or more hostages cannot be ruled out.

This paper was prepared in the Center for the Analysis of Personality and Political Behavior, Office of Scientific Intelligence

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Throughout his career, Khomeini has kept decisionmaking to himself and has justified his policies by his personal interpretations of Islamic law. Since coming to power, he has increasingly come to see himself as the Imam, the ultimate interpreter of Islamic law—indeed the very embodiment of Islamic law.

The power of Ayatollah Khomeini's political leadership derives from an almost total congruence of his psychological drives and political needs. Psychologically, Khomeini has long demonstrated a pattern of needing an outside persecutor against whom to direct his energies, and the combination of the Shah and the United States provided just that. Increasingly unable to cope with Iran's domestic problems, politically he also needed an external focus for blame. Just as the seizure of the hostages served both needs, so too must the trials and sentencing of the hostages.

At present, one of Khomeini's political motivations for sustaining the pitch of the current crisis is to ensure a massive victory in the early December constitutional referendum. Although there will be some diminution of his political motivation with the successful accomplishment of this goal, Khomeini will have continued reason to sustain the crisis in order to continue to deflect popular dissatisfaction with his regime. Moreover, his psychological need for an outside target will persist.

The Ayatollah apparently is now committed to trying the hostages if the Shah is not returned to Iran. Long, drawn out trials would serve the Ayatollah's political need to maintain the enthusiastic support of his population, as well as fulfill his psychological drive to confront his hated enemy, the United States.

Possible Sentences

Executing the hostages would not serve his purposes. It would invite military confrontation with the United States and deprive the Ayatollah of his political leverage.

Another possibility is "exile" after public humiliation. Although there are precedents under Islamic law * for exiling enemies of state, which indeed

* For an extended discussion of Islamic law and the manner in which it might be applied, see *Iran: Possible Trial of the Hostages*, PA 79-10555, November 1979

was the Ayatollah's personal experience, it is doubtful that Khomeini will permit the release of all the hostages. This too would deprive him of his leverage.

Ayatollah Beheshti—the figure reputed to be closest to Khomeini on the Revolutionary Council—has indicated that the Iranian Government might distinguish between true and false spies, the implication being that the harsher punishments would be reserved for the “true spies.” Beheshti went on to indicate that a political solution would be possible for both groups, but the clear implication was that leniency could only follow the Shah's return.

We believe a likely outcome would be indeterminate prison sentences for the “true spies,” pending the return of the Shah. This would serve Khomeini's political and psychological needs to sustain the crisis, enabling him to maintain the confrontation with the United States.

Should the confrontation between Iran and the United States escalate, the chances for harsher and prolonged sentences increase. Indeed, there is cause for fear, when recalling Khomeini's drive for vengeance as demonstrated by the ruthless sentences handed out by earlier revolutionary courts. Physical mutilation of one or more hostages or even executions would be a possibility under these circumstances.

All of this is contingent upon whether Khomeini and his inner circle are able to control the students. Although heretofore they have been for the most part responsive to Khomeini's directions, there are recent indications that they are becoming increasingly restive and might exert pressure for harsher sentences.

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